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A.P.C.D.
ADMINISTRATION

October 4, 2004

The Honorable Jerry E. Abramson, Mayor
Louisville Metro Hall
527 West Jefferson Street
Louisville, KY 40202

Dear Mayor Abramson:

The purpose of this letter is to provide PPG Architectural Finishes' comments on the proposed air regulations that are part of Louisville's new Strategic Toxic Air Reduction (STAR) Program. STAR's stated goal is, "to significantly reduce emissions of toxic chemicals into Louisville's air to better protect citizens' health and ensure quality of life." PPG Architectural Finishes, a wholly-owned subsidiary of PPG Industries, manufactures Porter Paints and Olympic Stains. We believe that the STAR program goal is commendable, but we are concerned that these regulations add an unnecessarily burdensome reporting requirement that does little to accomplish the STAR goals.

The proposed regulations appear to require that all affected sources report all those chemicals it has onsite, of the 190 listed. This requirement does not distinguish between whether the chemicals are in their pure form, are constituents in a mixture, or are parts per million impurities in a raw material. For example, many raw materials, such as mined clays and talcs, may contain low concentrations of naturally occurring heavy metals (ppm lead, chromium, arsenic). To be consistent with the program's efforts to better protect citizen's health and quality of life, PPG suggests that reporting should only be required if the chemical is used are above some "de minimis" or "brightline" level. Absent some meaningful minimum level, this regulation will cause a burdensome effort to collect meaningless data on materials that are emitted in insignificant amounts, if emitted at all.

Additionally, it is not clear what source of data will be acceptable to determine if any of the targeted chemicals are on site. MSDSs do provide information on constituent levels in mixtures, but only at concentrations above 1% for non-carcinogens and .1% for carcinogens. Since information below MSDS requirements is often not available, PPG suggests that MSDS information be identified as the acceptable source for information about constituent levels in a mixture.

Under the current regulations, it takes a considerable amount of time to obtain construction permits for even the most simple of projects. The proposed regulations will further delay and burden the process (both for PPG and other businesses in the District) for all permits regardless of the source's potential to emit measurable amounts of the targeted chemicals. Such delays impede a company's ability to react to the marketplace, grow capacity and improve the effectiveness of their Louisville facilities. Again, a *de minimis* exemption would help address this problem.

In conclusion, PPG agrees with the goal of the STAR program. However, PPG does not believe that this goal will be achieved or that significant progress will be obtained, as the proposed rules are currently written. Without a *de minimis* exemption for emissions from raw materials, these rules will create extremely burdensome recordkeeping and compliance requirements with no commensurate benefit to the community. PPG also has some concerns about other, more technical aspects of the proposed regulations, and we will provide further comment through the Greater Louisville Inc. Air Toxics subcommittee.

Thanks you in advance for your attention in this matter. If you have any questions, please contact our technical representative, Curtis Foote at the letterhead address, by phone at 502-588-9863.

Sincerely,

Scott Christie
General Manager

cc: LMAPCD Board of Directors